

Fish Disease Control Order

Retail Minnow Dealers Fact Sheet

June 2007

Why are these regulations being put in place? With the rapid increase in fish diseases invading our state, it has become critical to enlist minnow dealers and anglers as allies in this fight to protect their fishing opportunities.

Angler behaviors provide excellent ways to move fish diseases from waterbody to waterbody. Transmission routes include the indiscriminate use of live and frozen baitfish and fish eggs (roe), the movement of live game fish from one waterbody to another and the movement of any container of water including live wells and bilges from waterbody to waterbody. This Order is designed to provide a set of best management practices for bait dealers and anglers to ensure that they are not a vehicle to move diseases around our waters. We do not want anyone to be a cause for fish disease outbreaks.

We need your help in educating anglers to slow the spread of fish diseases and how to safely use their bait.

Why are there two parts to the regulations? The first is a set of general provisions that cover both a range of angler actions and provide for a mechanism for certified disease-free bait to be available for anglers. The second part of the Order directly addresses issues with specific fish diseases. This section will change only when necessary to address new diseases.

Fisheries Division will manage specific fish diseases using “Management Areas” as we can only manage around fish diseases and not eliminate them. The idea is to keep the disease-free areas as far as possible from those areas that are positive and to place a buffer area in between these areas. The system is designed to slow the movement of potentially infected fish to new waters. There are three “named disease” Management Areas: 1) a Positive Management Area where the disease is known to be present; 2) a Surveillance Management Area where the disease is not known to be present but is likely to show up soon; and 3) a Free Area where the disease has not been found and is not likely to be soon.

How will this Order affect me, the retail bait dealer? There are four key areas that retail bait dealers will need to pay attention to:

- The list of Prohibited Fish Species that is attached to the Fish Disease Order and periodically updated on our website (www.michigan.gov/dnrfishing) is important as this lists the species affected by the Order.
- You will need to provide receipts to all purchasers of baitfish and roe for species on the Prohibited Fish Species list. The receipt must tell anglers which Disease Management Areas they can use the bait from your shop.
- You will need to keep copies of all receipts or the equivalent for sales to individuals and all purchases of minnows from state licensed minnow catchers or minnow wholesales for 1 year.

- If you are also a minnow catcher, you will need to know where anglers can use your bait and which waters are in which Disease Management Areas. You will have to maintain records to verify all harvest locations. You will also have to decide on whether you wish to have your fish certified as disease-free.

Which fish species are currently on the Prohibited Fish Species list?

- Prohibited Fish Species that are typically used as live bait include emerald shiners, spottail shiners, and white suckers. Other species occasionally used as bait that are on the Prohibited Species List include bluntnose minnows, trout perch, gizzard shad, shorthead redhorse and silver redhorse.

- Prohibited Fish Species that are typically used as cut bait and are usually purchased frozen include gizzard shad and Pacific herring.

Prohibited Fish Species that are commonly used for their roe include Chinook salmon, coho salmon, pink salmon, brown trout, and steelhead.

- Fathead minnows, golden shiners, alewives and Atlantic herring are currently **not** on the list at this time.

What is included as bait in these regulations? Bait includes all live or dead species of fish, or parts of fish that are used by anglers to catch fish that are included on the Prohibited Fish Species list. This also includes roe from the fish species on the Prohibited Fish Species list along with frozen fish that are used whole or as cut bait.

Bait, both baitfish and roe, on the Prohibited Fish Species list can only be used if attached to a hook. Anglers can use single salmon eggs and spawn sacks as these are clearly attached to a hook. You cannot broadcast roe from species on the Prohibited Fish Species list if they are not on a hook. The broadcasting of large numbers of potentially infected roe is an excellent way to spread a disease in a waterbody which is why we decided to limit the use of roe to only on a hook.

These regulations do not include wigglers, leeches or crayfish. They are not covered by these regulations.

I sell frozen herring for cut bait. Can I still do this? All frozen bait from out-of-state sources will have to be certified to be VHS-free if the species is on the Prohibited Species List. Two of the key species used for cut bait that are on the Prohibited Species List are gizzard shad and Pacific herring. Once the bait is certified to be VHS free, the bait can be sold and used anywhere in the state.

If you are selling frozen bait species from out-of-state sources that are not on the list such as Atlantic herring or alewife, the regulations do not apply and you are welcome to sell them.

What must the purchaser's receipt say and how long will it be valid? Once the Order is fully implemented, your receipt must indicate the store name, minnow dealer license number, the species purchased and amount, date, purchaser, lot or transaction number

from the state-licensed wholesale or catcher receipt, and the area(s) that angler can use the bait. The receipt is valid for 7 days for the angler.

The information on these receipts will allow us to do trace backs to potentially help correct problems in the distribution of the bait and to help us understand the likely causes for fish kills.

Also remember that receipts are only required for species on the Prohibited Species List.

What should the state licensed minnow wholesale or catcher receipt say? The receipt for minnows that you have purchased from state licensed minnow wholesale or catchers must indicate dealer name, wholesale or catcher license number, the species purchased and amount, date, purchaser, lot or transaction number, and whether it is certified disease-free. If certified disease-free, you should be provided with a copy of the certification for your records. If the bait is not certified disease-free, you must be told what Disease Management Area the bait was collected. You need to hold on to these receipts for 1 year from the date of purchase.

What should I tell anglers regarding where they can use bait that are species on the Prohibited Fish Species list? a) certified disease-free bait can be used anywhere and provides the maximum flexibility to you and your customers; b) uncertified bait from Free Management Area waters can be used anywhere in the state; c) uncertified bait from Surveillance Management Area waters can be used in Surveillance and Positive Management Areas but not in Free Management Area waters; and d) uncertified bait from Positive Management Area waters can only be used in the Positive Management Area. The location that anglers can use the bait should be clearly marked on each receipt.

Your shop will also receive an information package to assist anglers on the locations that bait can be used from your shop.

I am also a minnow catcher and want to have my fish certified. How do I do that? This is a two stage process that will be explained in detail in the Fact Sheet for the Certification Process.

The first step is to have your facility certified to safely handle bait that is on the Prohibited Species List. You will need to request that Fisheries Division inspect your facility and certify it either in person or via an interview on the telephone. We will examine the facility layout along with the location(s) that any water is discharged to. If the facility is acceptable in terms of potential disease containment, you will get a Certification Letter that will allow you to bring fish into your facility for testing along with recommendations on how to do the testing at your facility.

The second step is to have your bait tested. Upon the acceptance of an approved fish health inspection report for your fish, the Division will provide you a Certification Letter and transaction number that will approve the shipment and sale of the inspection group of

fish. The Certification and transaction number will accompany the group of fish that were tested until all are sold. A new group of fish will require a new certification.

The Certification Letter must accompany all shipments to other state-licensed minnow dealers and wholesalers and a copy must be provided to them with any sale.

What happens if I mix certified and uncertified bait in my shop? If this occurs then all of the bait in the shop must be considered to be uncertified with the use being the most restrictive area, and sold clearly indicated as such.

What if I sell bait from a number of uncertified locations in my shop? If this occurs then all of the bait in the shop must be considered to be uncertified with the use being the most restrictive area, and sold clearly indicated as such.

I am also a minnow catcher and do not want to have my fish certified. What do I need to tell anglers on where they can use bait that are species on the Prohibited Species list? a) bait harvested from Free Management Area waters can be used anywhere in the state; b) bait harvested from Surveillance Management Area waters can be used in Surveillance and Positive Management Areas but not in Free Management Area waters; and c) bait harvested from Positive Management Area waters can only be used in the Positive Management Area.

Where is the VHS Positive Management Area? This will periodically change so be sure to check the Fisheries Division website (www.michigan.gov/dnrfishing). Currently, the VHS Positive Management Area includes all waters in Lake Huron, the St. Clair River, Lake St. Clair, the Detroit River, and Lake Erie along with their tributary streams up to the first fish barrier if one exists. The key here is if Great Lakes fish can get to the stream and use it then it is part of the Positive Management Area.

Upstream fish barriers on Lake Erie tributary streams include the Raisin River dams in Monroe, and the Belleville Lake or French Landing Dam on the Huron River.

Upstream fish barriers on the Detroit River tributary streams include the Ford Estate Dam in Dearborn on the Rouge River.

Upstream fish barriers on Lake Huron tributary streams include Frankenmuth Dam on the Cass River, Mott Dam on the Flint River, Chesaning Dam on the Shiawassee River, St. Louis Dam on the Pine River, Lake Isabella Dam on the Chippewa River, Sanford Dam on the Tittabawassee River, Foote Dam on the Au Sable River, 9th Street Dam on the Thunder Bay River, and Cheboygan Dam on the Cheboygan River.

Where is the VHS Surveillance Management Area? This will periodically change so be sure to check the Fisheries Division website (www.michigan.gov/dnrfishing). Currently, the VHS Surveillance Area includes Lake Michigan, Grand Traverse bays and bays de Noc, and the St. Mary's River along with their tributary streams up to the first fish barrier if one exists. This Management Area also includes all inland waters above

the first fish barrier to Great Lakes fish in the Lake Huron, St. Clair River, Lake St. Clair, Detroit River, and Lake Erie watersheds.

Upstream fish barriers on Lake Michigan tributary streams include Calkins Bridge on the Kalamazoo River, Croton Dam on the Muskegon River, Hesperia Dam on the White River, Hart Dam on the South Branch of the Pentwater River, Hamlin Lake Dam on the Sable River, Tippy Dam on the Manistee River, Boardman Lake Dam on the Boardman River, Elk Rapids Dam on the Elk River, Petoskey Dam on the Bear River, Escanaba Dam on the Escanaba River, and the Park Mill Dam on the Menominee River.

The lowest most dam on the Manistique River was partially breached and the river system is open to Great Lakes fish.

Both the St. Joseph and Grand Rivers have extensive and fully functional fishways that allow Great Lakes fish passage to much of their watersheds. The St. Joseph River does not have a Great Lakes fish barrier up to the Twin Branch Dam in Mishawaka, Indiana. The Grand River has Great Lakes fish passage up to the Moores Park Dam in Lansing. Key Grand River tributaries that have Great Lakes fish access include the Rogue River to Rockford Dam, the Flat River to Lowell Dam, the Thornapple River to the Ada Dam, Prairie Creek (the entire system), Fish Creek to the Hubbardston Dam, the Maple River to the Elsie Dam, and the Red Cedar River (entire system).

Where is the VHS Free Management Area? This will periodically change so be sure to check the Fisheries Division website (www.michigan.gov/dnrfishing). Currently, the VHS Free Area includes Lake Superior and all tributary streams to Lake Superior along with all inland waters of Lake Michigan and the St. Mary's River above the first fish barrier if one exists.

What should I tell anglers about moving live fish and what about catch and release fishing such as in tournaments? Anglers are absolutely allowed to catch and release fish. Anglers who are catch and release fishing must release the fish back into the same water or in a connecting body of water to that water so long as those fish can freely move between the original location of capture and the location of release. There cannot be a fish barrier, such as a dam without fish passage, between where the fish was caught and where it is released.

Please tell anglers not to move live fish on the Prohibited Species List from a waterbody. Anglers are welcome to take fish home that are dead as long as it is legal to do so and harvest limits are followed. The regulation also includes the movement of live baitfish on the Prohibited Species List from one waterbody to another. Anglers can obviously take live baitfish along to fish a waterbody and can use them on a hook on that water. **We are asking anglers not to release their live baitfish upon leaving a waterbody.**

The movement of live fish from one waterbody to another is one of the key ways that anglers can be a significant factor in spread fish diseases which is why we are dealing

with this issue in this Order. We do not want to see our fisheries resources affected by major fish kills that could be avoided by good practices by our anglers.

What should I tell anglers and boaters about live wells and bilge water? All live wells and bilges must be drained when anglers or boaters leave a water. When a boat comes out of the water after a fishing or boating trip, all water must be drained from your boat when it is on the boat ramp. The regulation prohibits the movement of water in bilges or live wells once off the water and on roads. The movement of infected water from one waterbody to another is one of the key ways that anglers and boaters can be a significant factor in spread fish diseases which is why we are dealing with this issue in this Order.